

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3 and 9-15 are pending in the present application. Claims 1-3 are amended, Claims 7 and 8 are canceled, and Claims 10-15 are added by the present amendment. Claims 4-6 were previously canceled.

Claim amendments and new claims find support in the specification as originally filed, at least at page 8, lines 2-9, page 12, lines 2-7, page 13, lines 3-15, and FIG. 4.

In the outstanding Office Action, Claims 1-3, 7, and 8 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent Publication No. 2004/0248579 to Fukui et al. (hereinafter “Fukui”) in view of U.S. Patent Publication No. 2002/0071407 to Koo et al. (hereinafter “Koo”); and Claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Fukui in view of Koo and U.S. Patent Publication No. 2001/0082039 to Ue et al. (hereinafter “Ue”).

Applicants respectfully traverse the rejection of Claims 1-3, 7, and 8 under 35 U.S.C. §103(a) as unpatentable over Fukui in view of Koo, with regard to amended independent Claims 1-3.

Claim 1 is directed to a mobile communication system that transmits a data signal from a base station to a mobile station. The mobile station includes, in part, a receiving processor configured to receive a data signal and at least one retransmission signal without the base station being requested to send the at least one retransmission signal, and carry out a receiving processing method on the data signal or the at least one retransmission signal within the predetermined period. Independent Claims 2 and 3 include similar features.

In a non-limiting embodiment, Applicants’ FIG. 4 shows a timing diagram of data signals and retransmission signals transmitted from a base station to a mobile station. In this

example, transmission of retransmission signal (a1), which is a copy of data signal (a) using a different form, begins immediately upon the completion of transmission of the data signal (a), and retransmission signal (b1), which is a copy of data signal (b) using a different form, is transmitted upon the completion of transmission of data signal (b). Applicants' FIG. 5 shows an example of a receiving method performed by a mobile station in which each of the data signal and the at least one retransmission signal may be received at step 301 without the base station being requested to send the retransmission signals.

A mobile station that receives data and retransmission signals as claimed may advantageously reduce power consumption without increasing a number of times that data signals are retransmitted.¹ For example, the mobile station may advantageously avoid receiving or decoding one or more of the retransmission signals, and may avoid transmitting a request for a retransmission. Thus, the mobile station does not have to transmit a retransmission request, or NAK, in order to receive a retransmission of data from the base station.

Applicants respectfully submit that the references in the Office Action fail to teach or suggest each of the features of independent Claims 1 and 2. Fukui describes a method of reassigning communication channels in a communication system. In particular, Fukui FIG. 2 shows that a transmitting station (e.g., base station) assigns a channel to a receiving station A (e.g., mobile station) and transmits frames A0-A11 to the base station.² When a receiving error occurs in a frame A6, the mobile station sends a NAK signal to the base station requesting retransmission of frame A6, and upon receipt of the NAK signal, the base station retransmits frame A6.³ In particular, Fukui FIG. 4 shows that an error detecting unit 13 in the receiving station judges whether an error is detected in the received frame A6 and a

¹ Specification at page 13, lines 16-22.

² Fukui at paragraph [0078].

³ Fukui at paragraphs [0078]-[0079].

NAK/ACK judging unit 16 sends a NAK if an error exists.⁴ Accordingly, Fukui indicates that the mobile station can receive the retransmission of a data signal only after the mobile station transmits NAK in response to the data signal transmitted from the base station. Thus, Fukui describes a conventional approach in which a mobile station sends a NAK signal based on an error being detected in a received signal to request a retransmission of the signal, which is different than the claimed approaches in which data and data retransmission signals are received at the mobile station without sending a request for the retransmission signals.

Applicants respectfully submit that Koo also fails to teach or suggest the features of the independent claims. Koo also describes a conventional approach in which a User Equipment UE (e.g., mobile station) receives an initial transmission from a NODE B (e.g., base station). Upon detecting an error from the received packet data, the UE sends a retransmission request (NAK) to NODE B.⁵ Thus, Koo requires that a retransmission request for a retransmission signal be sent from a mobile station to the base station, which is different than the claimed inventions.

Accordingly, Applicants respectfully submit that Fukui and Koo, whether taken individually or in combination, fail to teach or suggest “a receiving processor configured to receive the data signal and the at least one retransmission signal without the base station being requested to send the retransmission signal,” as recited in Claim 1, and as similarly recited in independent Claims 2 and 3.

In addition, Applicants respectfully submit that the references in the Office Action fail to teach or suggest a mobile communication system including a reception processing method decider configured to decide whether or not to receive or decode the data signal or the retransmission signal in the predetermined period based on the detected communication

⁴ Fukui at paragraph [0087] and FIG. 4.

⁵ Koo at FIG. 1 and paragraph [004].

quality, as recited in independent Claim 1, and as similarly recited in independent Claims 2 and 3.

Thus, Applicants respectfully submit that independent Claims 1-3, and claims depending therefrom, patentably define over Fukui and Koo.

In addition, Applicants respectfully traverse the rejection of Claim 9 under 35 U.S.C. § 103(a) as unpatentable over Fukui in view of Koo and Ue.

Claim 9 depends from Claim 3, which is believed to patentably define over Fukui and Koo as discussed above. Further, Applicants respectfully submit that Ue also fails to teach or suggest the claimed features lacking in the disclosure of Fukui and Koo. Accordingly, it is respectfully requested the rejection of Claim 9 be withdrawn.

Further, new Claim 13 is directed to a mobile station of Claim 1 in which the receiving processor is further configured to carry out the receiving processing of the at least one retransmission signal following the receiving processing of the data signal without carrying out receiving processing on a different intervening signal. New Claims 14 and 15 include similar features.

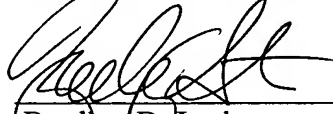
Applicants respectfully submit that the references in the Office Action also fail to teach or suggest the features of new Claims 10-15.

Accordingly, Applicants respectfully submit that independent Claims 1-3, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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